

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:19-cv-01098-CJN**

NEESE v. UNITED STATES DEPARTMENT OF JUSTICE
Assigned to: Judge Carl J. Nichols
Cause: 05:552 Right to Privacy Act

Date Filed: 04/18/2019
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**ASHLEY BROOKE NEESE**

represented by **David G Barger**
GREENBERG TRAURIG, LLP
1750 Tysons Boulevard
Suite 1000
McLean, VA 22102
(703) 749-1300
Fax: (703) 749-1301
Email: bargerd@gtlaw.com
ATTORNEY TO BE NOTICED

V.

Defendant**UNITED STATES DEPARTMENT OF JUSTICE**

represented by **Paul A. Mussenden**
U.S. ATTORNEY'S OFFICE FOR THE DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2520
Fax: (202) 252-2599
Email: Paul.Mussenden@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/18/2019	<u>1</u>	COMPLAINT against UNITED STATES DEPARTMENT OF JUSTICE (Filing fee \$ 400 receipt number 0090-6068651) filed by ASHLEY BROOKE NEESE. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit, # <u>15</u> Exhibit, # <u>16</u> Exhibit, # <u>17</u> Exhibit, # <u>18</u> Exhibit, # <u>19</u> Exhibit, # <u>20</u> Exhibit, # <u>21</u> Exhibit, # <u>22</u> Exhibit, # <u>23</u> Exhibit, # <u>24</u> Exhibit, # <u>25</u> Exhibit, # <u>26</u> Exhibit, # <u>27</u> Exhibit, # <u>28</u> Exhibit, # <u>29</u> Exhibit, # <u>30</u> Exhibit, # <u>31</u> Exhibit, # <u>32</u> Exhibit, # <u>33</u> Exhibit, # <u>34</u> Exhibit, # <u>35</u> Civil Cover Sheet, # <u>36</u> Summons)(Barger, David) (Entered: 04/18/2019)
04/19/2019		Case Assigned to Judge Rudolph Contreras. (zef,) (Entered: 04/19/2019)
04/19/2019	<u>2</u>	SUMMONS (1) Issued Electronically as to UNITED STATES DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Notice and Consent)(zef,) (Entered: 04/19/2019)
05/02/2019	<u>3</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF JUSTICE served on 4/23/2019 (Barger, David) (Entered: 05/02/2019)
05/27/2019	<u>4</u>	AFFIDAVIT FOR DEFAULT by ASHLEY BROOKE NEESE. (Barger, David) (Entered: 05/27/2019)
06/03/2019	<u>5</u>	MOTION for Default Judgment as to <i>U.S. Dept of Justice</i> by ASHLEY BROOKE NEESE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Text of Proposed Order)(Barger, David) (Entered: 06/03/2019)

06/04/2019		MINUTE ORDER: In her <u>5</u> Motion for Default Judgment, Plaintiff asserts that she properly served the Department of Justice, but the <u>3</u> Affidavit of Service does not indicate whether service was effected on all entities required by Federal Rule of Civil Procedure 4(i). Thus, it is hereby ORDERED that, by June 18, 2019, Plaintiff shall inform the Court whether she has fully complied with Rule 4(i). SO ORDERED. Signed by Judge Rudolph Contreras on June 4, 2019. (lcrc2) (Entered: 06/04/2019)
06/05/2019	<u>6</u>	REQUEST FOR SUMMONS TO ISSUE re <u>1</u> Complaint,,, filed by ASHLEY BROOKE NEESE. Related document: <u>1</u> Complaint,,, filed by ASHLEY BROOKE NEESE. (Attachments: # <u>1</u> Summons)(Barger, David) (Entered: 06/05/2019)
06/05/2019		Set/Reset Deadlines: Notification of compliance with Rule 4(I) due by 6/18/2019. (tj) (Entered: 06/05/2019)
06/06/2019	<u>7</u>	SUMMONS (2) Issued Electronically as to U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent) (tth) (Entered: 06/06/2019)
06/10/2019	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 6/6/2019. (Barger, David) (Entered: 06/10/2019)
06/10/2019	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 6/6/2019. Answer due for ALL FEDERAL DEFENDANTS by 7/6/2019. (Barger, David) (Entered: 06/10/2019)
06/11/2019	<u>10</u>	MOTION to Withdraw <i>Response to Court's Order of June 4, 2019 and Request to Withdraw Plaintiff's Default Motion</i> by ASHLEY BROOKE NEESE (Barger, David) Modified event title on 6/12/2019 (znmw). (Entered: 06/11/2019)
06/12/2019		MINUTE ORDER denying <u>5</u> Motion for Default Judgment: Upon consideration of <u>10</u> Plaintiff's Notice, it is hereby ORDERED that her <u>5</u> Motion for Default Judgment is DENIED as moot. SO ORDERED. Signed by Judge Rudolph Contreras on June 12, 2019. (lcrc2) (Entered: 06/12/2019)
06/26/2019	<u>11</u>	ENTERED IN ERROR.....AFFIDAVIT of Return of Service of Complaint by Certified Mail by ASHLEY BROOKE NEESE. (Attachments: # <u>1</u> Exhibit 1)(Barger, David) Modified on 6/27/2019 (jf). (Entered: 06/26/2019)
06/26/2019		Case directly reassigned to Judge Carl J. Nichols. Judge Rudolph Contreras is no longer assigned to the case. (rj) (Entered: 06/26/2019)
06/27/2019		NOTICE OF CORRECTED DOCKET ENTRY: Document No. re <u>11</u> Affidavit was entered in error and counsel was instructed to refile said pleading using the "Service of Process" event. (jf) (Entered: 06/27/2019)
06/27/2019	<u>12</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 6/6/2019. Answer due for ALL FEDERAL DEFENDANTS by 7/6/2019. (Attachments: # <u>1</u> Exhibit 1)(Barger, David) (Entered: 06/27/2019)
06/27/2019	<u>13</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 06/11/2019. (See Docket Entry <u>12</u> to view document) (jf) (Entered: 06/28/2019)
07/08/2019	<u>14</u>	NOTICE of Appearance by Paul A. Mussenden on behalf of UNITED STATES DEPARTMENT OF JUSTICE (Mussenden, Paul) (Entered: 07/08/2019)
07/08/2019	<u>15</u>	First MOTION for Extension of Time to File Answer re <u>1</u> Complaint,,, by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Mussenden, Paul) (Entered: 07/08/2019)
07/08/2019	<u>16</u>	Memorandum in opposition to re <u>15</u> First MOTION for Extension of Time to File Answer re <u>1</u> Complaint,,, filed by ASHLEY BROOKE NEESE. (Barger, David) (Entered: 07/08/2019)
07/15/2019		MINUTE ORDER. Upon consideration of Defendant's <u>15</u> Motion for Extension of Time to File Answer, it is hereby ORDERED that the motion is GRANTED and that the Answer deadline is extended to September 9, 2019. It is further ORDERED that

		the parties shall promptly confer and file a Joint Status Report on or before September 23, 2019. The Joint Status Report shall address: (1) the status of the Plaintiff's FOIA request; (2) the anticipated number of documents responsive to the Plaintiff's FOIA request; (3) the anticipated date(s) for release of the documents requested by Plaintiff; (4) whether a motion for stay is likely under <i>Open America v. Watergate Special Prosecution Force</i> , 547 F.2d 605 (D.C. Cir. 1976); and (5) whether the parties anticipate summary judgment briefing and, if so, a proposed briefing schedule. Signed by Judge Carl J. Nichols on July 15, 2019. (lccjn1) Modified text on 7/18/2019 (zcdw). (Entered: 07/15/2019)
07/15/2019		Set/Reset Deadlines/Hearings: Answer to complaint due by 9/9/2019. Joint Status Report due by 9/23/2019. (zcdw) (Entered: 07/22/2019)
09/09/2019	<u>17</u>	ANSWER to Complaint by UNITED STATES DEPARTMENT OF JUSTICE.(Mussenden, Paul) (Entered: 09/09/2019)
09/23/2019	<u>18</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Mussenden, Paul) (Entered: 09/23/2019)
10/08/2019		Set/Reset Deadlines/Hearings: Telephone Conference set for 10/10/2019 at 2:00 PM before Judge Carl J. Nichols. (zcdw) (Entered: 10/08/2019)
10/31/2019		MINUTE ORDER. In light of the Parties' <u>18</u> Joint Status Report and the October 10, 2019 telephonic conference, it is hereby ORDERED that the Parties shall submit an additional Joint Status Report by November 22, 2019. Signed by Judge Carl J. Nichols on October 31, 2019. (lccjn3) (Entered: 10/31/2019)
10/31/2019		Set/Reset Deadlines/Hearings: Joint Status Report due by 11/22/2019. (zcdw) (Entered: 11/04/2019)
11/22/2019	<u>19</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Mussenden, Paul) (Entered: 11/22/2019)